

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

BRITTANY INEMAN, individually and on
behalf of all others similarly situated,

Plaintiff,

Case No. 14-CV-398

v.

KOHL'S CORP.,

Defendant.

**DEFENDANT'S MOTIONS TO DISMISS OR TRANSFER VENUE
AND TO COMPEL ARBITRATION**

The Defendant hereby moves the Court for the following:

- (a) To dismiss this action for improper venue pursuant to Fed. R. Civ. P. 12(b)(3) or to transfer it to the United States District Court for the Eastern District of Wisconsin pursuant to 28 U.S.C. § 1406(a).
- (b) Alternatively and if venue is found proper in this District, to transfer this action to the United States District Court for the Eastern District of Wisconsin pursuant to 28 U.S.C. § 1404(a).
- (c) To dismiss or stay this action and compel the plaintiff to arbitrate her individual claim pursuant to the Federal Arbitration Act, 9 U.S.C. § 1, et seq.

The grounds for the improper venue and venue-transfer motions are explained in the accompanying "Defendant's Brief in Support of Its Motion To Dismiss For Improper Venue Or, In The Alternative, To Transfer This Case to The Eastern District of Wisconsin." The motions are supported by the accompanying Declarations of Michael Mortonson, Rebecca Hoeft and Ed Ernster, as well as the entire record in this action.

The grounds for the motion to compel arbitration are explained in the accompanying "Defendant's Brief In Support of Its Motion To Dismiss And To Compel Bilateral Arbitration,

Or, In the Alternative, To Stay This Action Pending Arbitration.” This motion is also supported by the Hoeft and Ernster Declarations, as well as the entire record in this matter.

These motions will be further briefed and heard in accordance with a schedule set by the Court.

Dated this 23rd day of June, 2014.

/s/ Howard A. Pollack

Howard A. Pollack
John L. Kirtley
GODFREY & KAHN, S.C.
780 North Water Street
Milwaukee, WI 53202
Phone: (414) 273-3500
Fax: (414) 273-5198
Email: hpollack@gklaw.com
jkirtley@gklaw.com

and

Bryan J. Cahill
GODFREY & KAHN, S.C.
One East Main Street
Madison, WI 53703
Phone: (608) 257-3911
Fax: (608) 257-0609
Email: bcahill@gklaw.com

and

Lauri A. Mazzuchetti*
Joseph A. Boyle*
KELLEY DRYE & WARREN LLP
200 Kimball Drive
Parsippany, NJ 07054
Phone: (973) 503-5900
Fax: (973) 503-5950
Email: LMazzuchetti@KelleyDrye.com
jboyle@KelleyDrye.com

Attorneys for Defendant, Kohl's Corporation

* To be admitted pro hac vice